

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Group Art Unit: 1634
)	
Linnen <i>et al.</i>)	Examiner: Lucas, Zachariah
)	
Serial No.: 10/688,489)	Confirmation No. 3927
)	
Filed: October 16, 2003)	Atty. Docket No.: GP140-04.UT
)	
For: Compositions and Methods for)	
Detecting West Nile Virus)	

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b) & (c)**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Applicants bring to the Examiner's attention the references listed on the enclosed form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-identified application. Copies of the cited non-U.S. patent references are enclosed.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(b) before the mailing date of a first Office action on the merits.

If Applicants are mistaken, and a first Office action on the merits was mailed on or before the certified date of transmission indicated below, then Applicants request that this Information Disclosure Statement be treated as a transmission under 37 C.F.R. 1.97(c) and that the fee due under 37 C.F.R. § 1.17(p) be charged to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

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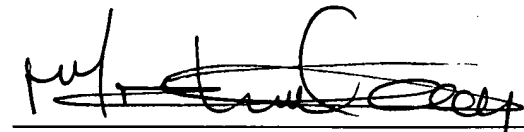
Serial No. 10/688,489
Atty. Docket No. GP140-04.UT

Applicants respectfully request that the Examiner indicate consideration of the cited references by returning a copy of the enclosed form PTO/SB/08 with the Examiner's initials or other appropriate marks.

Respectfully Submitted,

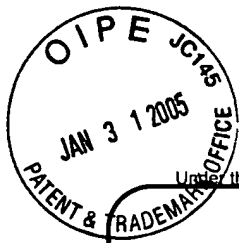
Date: January 27, 2005

By:



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ITFW

PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1634
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

ENCLOSURES (Check all that apply)

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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Michael J. Gilly		
Date	January 27, 2005	Reg. No.	42,579

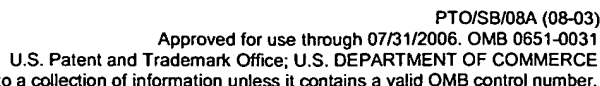
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Signature			
Typed or printed name	Michael J. Gilly	Date	January 27, 2005

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Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet 1

of 2

Complete if Known

Application Number	10/688,489
Filing Date	October 16, 2003
First Named Inventor	Jeffrey M. Linnen
Art Unit	1648
Examiner Name	Lucas, Zachariah
Attorney Docket Number	GP140-04.UT

U. S. PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS

**Examiner
Signature**

Date
Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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